

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shuichi FURUYA et al.
Title: NITROGEN-CONTAINING HETEROCYCLIC
COMPOUNDS, THEIR PRODUCTION AND USE
Prior Appl. No.: 09/711,139
Prior Appl. Filing Date: November 14, 2000
Examiner: Unassigned
Art Unit: Unassigned

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application, applicants respectfully request entry of the following amendments to the claims and the specification.

IN THE SPECIFICATION:

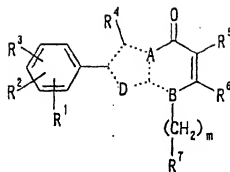
On page 1, below the title of the invention, please insert --This is a divisional application of U.S. Application No. 09/711,139, which is a divisional application of U.S. Application No. 09/147,616, now U.S. Patent 6,194,149 B1, which was a §371 application of PCT/JP98/05841, the entirety of each application being incorporated by reference.--

IN THE CLAIMS:

Cancel claims 23-29, 31-37 and 39, add new claims 40-44, and substitute for claims 1 and 30 the following amended claims. The changes made to the amended claims are explicitly shown in the attached "Marked-Up Version of the Amended Claims."

1. (Once Amended) A compound of the formula (I)

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wherein one of A and D represents a nitrogen atom and the other represents a carbon atom, or both represent a nitrogen atom;

B represents a nitrogen atom or a carbon atom;

m represents an integer from 0 to 3;

R¹, R² and R³ each represents (i) hydrogen or (ii) a group bound via a carbon atom, a nitrogen atom, an oxygen atom or a sulfur atom;

R⁴ represents a group bound via a carbon atom;

R⁵ represents (i) hydrogen, (ii) halogen or (iii) a group bound via a carbon atom or an oxygen atom;

R⁶ represents hydrogen or a group bound via a carbon atom;

R⁷ represents a homocyclic group which may be substituted or a heterocyclic group which may be substituted; and each dotted line represents a single bond or a double bond, when each of A and D represents a nitrogen atom, then B represents a carbon atom;

or a salt thereof.

30. (Once Amended) A pharmaceutical composition which comprises a compound of claim 1 or a salt thereof in a pharmaceutically acceptable carrier.

40. (New) A method for treating prostatic cancer, uterine cancer, breast cancer, pituitary tumor, prostatic hyperitrophy, hysteromyoma, endometriosis, precocious puberty,

amenorrhea, premenstrual syndrome, multilocular ovary syndrome or pimples, wherein the method comprises administering to a mammal an effective amount of the compound of claim 1 or a salt thereof.

41. (New) A method for treating prostatic cancer, uterine cancer or breast cancer, wherein the method comprises administering to a mammal an effective amount of the compound of claim 1 or a salt thereof.

42. (New) A method for treating prostatic hypertrophy, endometriosis, hysteromyoma or precocious puberty, wherein the method comprises administering to a mammal an effective amount of the compound of claim 1 or a salt thereof.

43. (New) A method for regulating pregnancy, wherein the method comprises administering to a mammal an effective amount of the compound of claim 1 or a salt thereof.

44. (New) A method for regulating menstruation cycle, wherein the method comprises administering to a mammal an effective amount of the compound of claim 1 or a salt thereof.

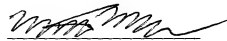
REMARKS

With entry of this amendment, claims 1-22, 30, 38, and 40-44 are pending. The amendments are supported throughout the specification. For example, the amendment to claim 1 is supported, inter alia, by compound (f) at page 41. New claims 40-44 are supported, inter alia, at pages 125-126. Applicants await an Office Action on the merits.

Respectfully submitted,

January 10, 2002

Date



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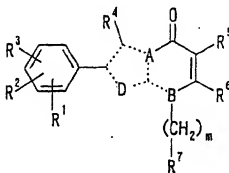
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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0744 for any such fees; and applicant(s) hereby petition for any needed extension of time.

Marked-Up Version of the Amended Claims

1. (Once Amended) A compound of the formula (I)



wherein one of A and D represents a nitrogen atom and the other represents a carbon atom, or both represent a nitrogen atom;

B represents a nitrogen atom or a carbon atom;

m represents an integer from 0 to 3;

R¹, R² and R³ each represents (i) hydrogen or (ii) a group bound via a carbon atom, a nitrogen atom, an oxygen atom or a sulfur atom;

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R⁶ represents hydrogen or a group bound via a carbon atom;

R⁷ represents a homocyclic group which may be substituted or a heterocyclic group which may be substituted; and each dotted line represents a single bond or a double bond, **when each of A and D represents a nitrogen atom, then B represents a carbon atom;**

or a salt thereof.

30. (Once Amended) A pharmaceutical composition which comprises a compound of claim 1 or a salt thereof in a pharmaceutically acceptable carrier.

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